

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**UNITED STATES OF AMERICA**

**Plaintiff,**

**vs.**

**MICHAEL JOSEPH SMITH**

**Defendant.**

**CASE NUMBER: 21-MJ-8159-GCS**

**CRIMINAL COMPLAINT**

I, Treva E. Mathews, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

**Count 1**  
**Attempted Enticement of a Minor**

From on or about June 23, 2021, until on or about June 26, 2021, the defendant,

**MICHAEL JOSEPH SMITH,**

in Madison County, Illinois, within the Southern District of Illinois, and elsewhere, using facilities of interstate commerce, that is a cellphone connected to the Internet, did knowingly attempt to persuade, induce, entice, and coerce an individual who had not attained the age of 18 years, to engage in prostitution and in sexual activity under such circumstances as would constitute a criminal act under 720 ILCS 5/11-1.60(d) (Aggravated Criminal Sexual Abuse), in violation of 18 United States Code, Section 2422(b).

I further state that this complaint is based on the following facts:

## **INTRODUCTION**

1. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI) and have been so employed since 2020. I graduated in December of 2017 from Tiffin University in Tiffin, Ohio, with a master's degree in Criminal Justice. I have six years of experience as a trained law enforcement officer. I am a graduate of the FBI Academy, where I received training in a variety of investigative and legal matters, including topics of Fourth Amendment searches, drafting search warrant Affidavits, and Probable Cause. I am presently assigned to the Springfield Division's Violent Crimes Against Children Squad, which focuses on investigating individuals and dismantling organizations responsible for the sexual exploitation of children through the manufacture and distribution of child pornography. I am a "federal law enforcement officer" within the meaning of Federal Rule of Criminal Procedure 41(a)(2)(C), that is, a government agent engaged in enforcing the criminal laws and duly authorized by the Attorney General to request a search warrant.

2. I have investigated and assisted in the investigation of criminal matters involving the sexual exploitation of children that constituted violations of Title 18, United States Code, Sections 2251, 2252, 2252A, 2422, and 2423. In connection with such investigations, I have served as the case agent, have been the affiant for several search warrants, and have conducted interviews of defendants and witnesses. As a federal agent, I am authorized to investigate and assist in the prosecution of violations of laws of the United States and to execute search warrants and arrest warrants issued by federal and state courts.

3. The statements contained in this affidavit are based on my personal knowledge as well as on information provided to me by other law enforcement officers. This affidavit is being submitted for the limited purpose of securing a criminal complaint and an arrest warrant, and I

have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that **MICHAEL JOSEPH SMITH** committed violations of Title 18, United States Code, Section 2422(b).

**BACKGROUND OF INVESTIGATION AND  
FACTS ESTABLISHING PROBABLE CAUSE**

4. On approximately June 25 and 26, 2021, agents from the Federal Bureau of Investigation Undercover Employee (“UCE”) with a joint taskforce of various state and federal law enforcement agencies conducted an undercover investigation targeting subjects who were attempting to engage in sexual activity with minors.

5. Starting on approximately June 22, 2021 through June 26, 2021, undercover agents began posting ads on various online social media and dating platforms and application. The ads were primarily dating profiles photos of a young-looking male and female adult confidential sources.

6. A residence in Collinsville, Illinois was obtained to be the location that targets were directed to for engaging in sexual activity with the fictitious minors from the online profiles.

7. On approximately June 23, 2021, an FBI UCE posted a profile on an online social media and dating application.

8. An individual who was later identified as **MICHAEL JOSEPH SMITH** (hereinafter referred to as “**SMITH**”) initiated a conversation with UCE, whose profile displayed the name “Lindsey”, age “91”.

9. **SMITH** then suggested that they move the conversation to text message. UCE texted the **SMITH** at phone number 314-853-9966.

Portions of the conversation are as follows:

**SMITH:** Just because I know you're not 91, may I ask your age? It's not an issue, as age is, only, a number...unless you're a minor  
**UCE:** Kinda nervous to like tell u my age  
**SMITH:** Don't be nervous...it's, just, a number.  
**UCE:** I'm almost 15  
**UCE:** Pls dont hate me  
**SMITH:** I don't hate you...but, I can't be talking to a minor. You're the same age as my son.

The conversation later continued as follows:

**SMITH:** Ok. I have to admit, I'm a bit nervous because of obvious reasons...but, also, very excited because you've never experienced anything like what I'm going to do and because of that tight, sexy body straddling my face!  
**UCE:** I'm excited to have someone that like knows what their doing lol

....

**SMITH:** How tall are you? And, should I bring condoms or will you trust me to pull out?  
**UCE:** I'm 5 3 and yes to condoms  
**SMITH:** Damn...I hate condoms. I'll do it for you, though. Have you tried anal?  
**UCE:** I haven't tried anal  
**UCE:** Does it hurt?  
**SMITH:** It's not pleasant, at first...but, as long as I go easy, it isn't unbearable. Are you willing to try?  
**UCE:** Umm...yeah I'll try it but like will it like feel good for me at all  
....

**SMITH:** I hope you don't mind that I plan on picking you up, holding you against the wall, and kissing you with vigorous intensity as soon as the door shuts behind me.

....

**SMITH:** It's not about you saying anything... it's getting caught with you that is my biggest concern. An underage girl that has been seen around town in a car, with an older guy, that has Missouri plates...that's a recipe to get pulled over.  
**UCE:** Well u could come here and pull into the driveway, no one could like see ur car from the road but of I dont want me ig it's ok  
**SMITH:** Send me a picture of the front of your house and driveway?  
**UCE:** Ok lemme go outside real quick  
**SMITH:** Because I do want you... I, just, don't want to end up in prison for having you.

10. The conversation continued regarding planning a meet up time and location.

**SMITH** agreed to meet at the undercover house in Collinsville, Illinois.

11. In total, the conversations took place between June 23, 2021 and June 26, 2021.

While there were many times where conversation was casual and cordial, there were numerous instances where the conversation was sexually explicit in nature, as was detailed above.

12. **SMITH** walked to the front door of the residence. At that time, law enforcement agents contacted the subject and took him into custody.

13. During a search incident to arrest, agents located a condoms and the alcoholic beverage, White Claw, which **SMITH** previously discussed bringing to his encounter with the UCE.

### **CONCLUSION**

14. Based on the foregoing, I submit that there is probable cause to believe that between June 23, 2021 and June 26, 2021, **SMITH** committed the offenses set forth in Count 1 of this Complaint.

*Treva E. Mathews*

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Treva E. Mathews, Special Agent  
Federal Bureau of Investigation

STEVEN D. WEINHOFET  
United States Attorney

*Karelia Rajagopal*

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KARELIA RAJAGOPAL  
Assistant United States Attorney

Subscribed and sworn to before me this

28th day of June, 2021, at East St. Louis, Illinois.

 Digitally signed by  
Judge Sison 2  
Date: 2021.06.28  
11:29:09 -05'00'

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GILBERT C. SISON  
United States Magistrate Judge